

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARCIA DURAN,

Defendant.

CR 13-83-GF-BMM

ORDER

Defendant has moved for an early termination of probation. The Government does not oppose the motion. (Doc. 36). Defendant's probation officer takes no position on the motion. *See* Doc. 34 at 2. The Court conducted a hearing on the motion on October 20, 2016.

Defendant pleaded guilty to Theft from a Health Care Facility on December 10, 2013. The Court sentenced the Defendant to three years of probation on March 11, 2014. (Doc. 31). Defendant was required to abide by the standard conditions of supervision and, among other provisions, abstain from the consumption of alcohol, and pay \$7,674.43 in restitution.

The record reflects that Defendant has completed more than 30 months of probation. *See* Doc. 35 at 3. Defendant has complied with all of his supervision conditions. *Id.* Defendant made his final restitution payment in September 2016. *Id.* Defendant has refrained from the use of alcohol. *Id.* Defendant resides in Box

Elder, Montana with his wife and three children. *See* Doc. 35 at 2. Defendant has been employed for the past 28 months. *Id.* at 3. The factors in 18 U.S.C. § 3553 support an early termination of probation.

Accordingly, IT IS ORDERED:

1. Defendant's Motion for Early Termination of Probation (Doc. 34) is GRANTED.

2. Defendant is DISCHARGED from probation.

DATED this 7th day of November, 2016.



Brian Morris
United States District Court Judge